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6  
7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF WASHINGTON

9  
10 UNITED STATES OF AMERICA, }  
11 Plaintiff, } CR-07-6008-LRS  
12 vs. } Motion for Detention Hearing  
13 KENNETH JOHN FREEMAN, }  
14 Defendant. }

15 The United States moves for pretrial detention of Defendant, pursuant to  
16 18 U.S.C. § 3142(e) and (f).

17 1. Eligibility of Case. This case is eligible for a detention order  
18 because the case involves:  
19      Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which  
20         includes any felony under Chapter 109A, 110 and 117),  
21      Maximum penalty of life imprisonment or death,  
22      Drug offense with maximum penalty of 10 years or more,  
23      Felony, with two prior convictions in above categories,  
24      Felony that involves a minor victim or that involves the  
25         possession or use of a firearm or destructive device (as those  
26         terms are defined in section 921), or any other dangerous  
27         weapon, or involves a failure to register under 18 U.S.C.  
28         section 2250,  
29      Serious risk Defendant will flee, or  
30      Serious risk obstruction of justice.

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- 1       2. Reason For Detention. The Court should detain Defendant because
- 2            there is no condition or combination of conditions which will
- 3            reasonably assure:
  - 4                 Defendant's appearance as required, or
  - 5                 Safety of any other person and the community.
- 6       3. Rebuttable Presumption. The United States will invoke the
- 7            rebuttable presumption against Defendant under Section 3142(e).
- 8            The presumption applies because there is probable cause to believe
- 9            Defendant committed:
  - 10                Drug offense with maximum penalty of 10 years or more,
  - 11                18 U.S.C. § 924(c) firearms offense, or
  - 12                Kidnaping, sexual crimes, or child pornography offenses.
- 13       4. Time For Detention Hearing. The United States requests the Court
- 14            conduct the detention hearing:
  - 15                At the first appearance, or
  - 16                After a continuance of three days.
- 17       5. Other Matters.
  - 18                The Defendant was charged in Benton County, Washington,
  - 19             with First Degree Rape of a Child on December 7, 2005. In
  - 20             March 2006, Defendant Freeman failed to appear in Benton
  - 21             County as required and a state bench warrant was issued.
  - 22             Additional federal charges were filed against the Defendant
  - 23             while he was a fugitive, including the Indictment in the
  - 24             Eastern District of Washington and a Federal Indictment in
  - 25             the District of Oregon charging him with one count of
  - 26             Production of Child Pornography, and two counts of Interstate
  - 27             Transportation of a Minor with Intent to Engage Sexually
  - 28             Explicit Conduct. The Defendant was arrested traveling to

1 Hong Kong. The United States submitted an extradition  
2 request to Hong Kong. The Defendant waived extradition.

3 DATED October 18, 2007.

4 James A. McDevitt  
5 United States Attorney

6 s/Stephanie J. Lister

7 Stephanie J. Lister  
8 Assistant United States Attorney

9 I hereby certify that on October 18, 2007, I electronically filed the  
10 foregoing with the Clerk of the Court using the CM/ECF System.

11  
12 s/Stephanie J. Lister

13 Stephanie J. Lister  
14 Assistant United States Attorney